

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIX FINANCIAL SERVICES, INC., formerly
known as ORIX CREDIT ALLIANCE, INC.,

Case Number: 08 CV 1629

Plaintiff,

v.

JONES EQUIPMENT, INC., BONNIE L.
JONES and WILLIAM L. JONES,

Defendants

**AMENDED AFFIRMATION OF HODGSON RUSS LLP IN SUPPORT OF IT'S
MOTION TO WITHDRAW AS DEFENDANTS' COUNSEL OF RECORD**

Hodgson Russ LLP, counsel of record to defendants William L. Jones, Bonnie L. Jones, and Jones Equipment, Inc. ("Defendants"), moves pursuant to this Court's Local Rule of Civil Procedure 1.4 for leave to withdraw as counsel of record for Defendants.

In support of its motion, Hodgson Russ states as follows:

1. Plaintiff Orix Financial Services, Inc., formerly known as, Orix Credit Alliance, Inc. filed its Complaint in this action on February 19, 2008.
2. Thereafter, Defendants retained Hodgson Russ as its counsel.
3. On March 17, 2008 this Court granted an extension of Time to Answer in this matter to April 1, 2008.
4. On or about April 1, 2008 the parties submitted another Request to Extend Time to Answer to May 1, 2008 in the hopes of settling this matter.
5. On April 17, 2008 Hodgson Russ LLP filed a Notice of Appearance.
6. On May 1, 2008 the Plaintiff indicated the settlement offer was rejected.

7. On May 1, 2008 the Defendants instructed Hodgson Russ not file an Answer to this Complaint and terminated their representation.

8. Defendant Bonnie L. Jones consents to the withdrawal of Hodgson Russ LLP.

9. Defendant William L. Jones consents to the withdrawal of Hodgson Russ LLP.

10. Defendant Jones Equipment, Inc. consents to the withdrawal of Hodgson Russ LLP.

11. Defendant Bonnie L. Jones understands the implications of not filing an Answer in this matter and that default will be entered against her.

12. Defendant William L. Jones understands the implications of not filing an Answer in this matter and that default will be entered against him.

13. Defendant Jones Equipment, Inc. understands the implications of not filing an Answer in this matter and that default will be entered against it.

Hodgson Russ requests leave of Court to withdraw its appearance on behalf of Defendants.

WHEREFORE, Hodgson Russ (through and for Lawrence R. Bailey, Jr.) respectfully requests this Court for leave to withdraw its appearance in this case and for leave to withdraw as counsel of record for Defendants.

Dated: May 9, 2008

HODGSON RUSS LLP

By: /s/ Lawrence R. Bailey, Jr.

Lawrence R. Bailey, Jr.

60 East 42nd Street, 37th Floor

New York, New York 10165

Telephone: (212) 661-3535

CERTIFICATION OF SERVICE

I, LAWRENCE R. BAILEY, JR., ESQUIRE, hereby certify that true and correct copies of this Amended Motion to Withdraw and Affirmation In Support were served electronically on all counsel of record on today's date May 9, 2008, and upon Defendants via Overnight Mail.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

/s/ Lawrence R. Bailey, Jr.
Lawrence R. Bailey, Jr.

Dated: May 9, 2008

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Defendants

ORDER GRANTING MOTION TO WITHDRAW

This matter having been opened to the Court by Hodgson Russ LLP, attorneys for Defendants, for an Order to be relieved as Counsel; and the Court having read the papers submitted; and good cause having been found;

It is on this _____ day of _____, 2008, hereby

ORDERED THAT Hodgson Russ LLP are hereby Granted Leave to Withdraw as Attorneys of Record for the Defendants in this matter

Denise L. Cote, U.S.D.C., S.D.N.Y.

Papers Reviewed:
Motion _____
Opposition _____
Reply _____